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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/626,600	04/02/1996	MICHAEL F. QUINN	107040.007	8034
27510	7590	03/24/2006	EXAMINER	
KILPATRICK STOCKTON LLP 607 14TH STREET, N.W. WASHINGTON, DC 20005			POINVIL, FRANTZY	
			ART UNIT	PAPER NUMBER
			3628	
DATE MAILED: 03/24/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	08/626,600		QUINN ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Frantzy Poinvil		3628	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 37-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 37-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's representative states that:

"Burks is directed to a system that receives medical claim data messages that arrive from different healthcare providers in various formats (col. 5, line 66 - col. 6, line 5). Because the incoming data is associated with data fields, data can be pulled from the messages and reorganized into data fields of a generic format (col. 9, lines 31-35). The records are then stored in a single database comprising of generic records. (col. 6, lines 15-23). Prior to forwarding a particular medical record to an insurance company, the data can again be reorganized from its generic state into a specified format of data fields stipulated by the particular insurance company (col. 5, lines 48-65).

Contrary to the claimed invention, the system in Burks requires the incoming record to be a data message and not an image so that the data can be extracted from particular data fields and reorganized into a generic format. Neither Reding, Cukor, Jacobs, or Baker cure this or other deficiencies of Burks.

For at least the reason stated above, the cited references do not teach or suggest independent claims 44-46 of the present application.

Therefore, the undersigned respectfully submits that independent claims 44-46 are allowable over the cited art.

Further, dependent claims 39-41 and 43 are also allowable as they contain the limitations of the claims on which they depend. Therefore, the undersigned

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representative respectfully requests that the Examiner withdraw the rejection of claims 39-41, 43, 44, 45, and 46. “

In response, from the above noted applicant's remarks, the applicant has merely identified portions of the teachings of Burks et al. but failed to state how the claimed teachings differ from the teachings of Burks et al. The applicant has failed to specifically point out how the language of the claims patentably distinguishes them from the references.

Applicant is arguing the manner in which Burks et al format or reformat the received medical data. However, when reviewing applicant's independent claims, the manner of in which to format the image data or document is not being claimed. Thus, the manner in which Burks et al. formats their information is irrelevant and should not be addressed.

Furthermore, the Examiner asserts that Burks et al clearly teach receiving medical data such as medical claim data and remittance data from one health care provider in given format and transmitting these medical data to another entity in another format as noted on column 5, lines 15-65, column 8, lines 25-39 of Burks et al.

The prior Rejection is repeated below.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 39-41, 43, 44, 45 and 46 are rejected under 35 USC 103 as being unpatentable over Cukor et al. (U.S. Patent No. 5,168,444) in view of Tom Reding, "Digital Imaging Technology: What, Where, and Why in Commercial Nuclear Power", Nuclear Plant Journal, July-August 1991, pages 89, 90, and 94 (hereinafter "Reding") and Jacobs et al. (US Patent No. 5,611,048) or Baker et al (US Patent No. 5,696,898) and Burks et al. (US Patent No. 5,644,778).

As per claims 44, 45 and 46, Cukor discloses a computer-based trade records information management system for scanning, storing, searching, retrieving, and displaying data pertaining to commercial transactions (see Cukor; abstract). A central storage means at one or more regional processing centers stores bit mapped (scanned) images of documents and includes a database of data related to the scanned documents (Fig. 1 ; Col 5, lines 31 - 59., Col 8, lines 4 - 7). Cukor teaches regional processing centers comprised of a plurality of customer workstations each located at shipping stations remote from a central storage facility. Each workstation includes local storage means for storing bit mapped images and all transaction-associated documents and information (Col. 7, lines 16 - 21 and Col 10, lines 22 - 40) and is linked to central storage by means of a local area network. Although Cukor does not expressly disclose use of a wide area network for connecting the workstations to the regional center nor for linking regional centers to each other, it does teach that a plurality of such regional

centers may be networked together over a large geographic area (Fig. 1 ; Col 5, line 31 - Col 6, line 10).

Reding is a system for the electronic storage, management, and retrieval of all types of documents and teaches that such a system can be implemented across both local and wide area networks (Reding at page 89, column 1). Reding also teaches at page 89, column 2 that data may be stored in ASC II format. It would have been obvious to one of ordinary skill in the art of financial information management to modify Cukor with the wide area network means of Reding in order to provide for institution-wide storage and retrieval of documents (see Reding at page 90, col. 3; Cukor at Col 5, lines 52 - 59).

Cukor also discloses means for inputting data into central storage from a plurality of remote workstations and also from central means (Col 5, lines 43 - 50., Col. 7, lines 16 -21 ; Col 8, lines 4 - 7, Col 10, lines 46 - 60).

Cukor teaches indexing data to be centrally stored by means of a common PRO number and electronically associating all documents related to a single transaction in a common electronic file folder for subsequent retrieval. Such indexed data includes at least one scanned document (Col 2, lines 7 - 21 ; Col 10, lines 21 - 40).

Although Cukor does not expressly disclose the management of information related to financial transactions, the Examiner asserts that the sale and shipment of goods is well known to comprise financial transactions (see Col 1, line 65 to Col 2, line 6., Col. 6, lines 37 - 41). Cukor further discloses means for storing messages and completed inquiries (col. 14 - 27). Furthermore, Cukor teaches electronic association of all documents associated with a particular shipment transaction (Col 10, lines 22 - 40) and further discloses the processing of documents

for filling customer requests (Col 7, lines 21 - 25). The Examiner asserts that it would have been obvious to one of ordinary skill in the art of financial information management to include means for storing customer messages and inquiries. One would be motivated to do so in order to retain all information related to a particular transaction in a single, searchable database for subsequent review and/or retrieval and to avoid the problems associated with handling paper documents (see Col 2, lines 7 - 12 and 19 - 21 ; Col 3, lines 21 - 25 and 62 - 65., Col. 5, lines 21 - 25).

Although Cukor discloses means for searching data storage means and identifying found records, it does not teach searching by means of structured inquiries (Col 8, line 65., Col 14, lines 11 - 18., Col 7, lines 21 - 25). Reding does teach searching the document image file by means of structured database queries and displaying the found records (page 89, col. 2). It would have been obvious to one of ordinary skill in the art to modify Cukor with the structured query means of Reding in order to utilize the sophisticated search means available through database management systems (see Reding at page 89, col 2). Although both Cukor and Reding disclose use of display means by which to view found documents, neither teach such means by which to build structured queries. However, the Examiner asserts that the use of graphic user interfaces to build structured queries is well known in the art of database management and would have been obvious to the skilled artisan as a known and convenient means by which to search an online database.

Cukor further discloses supervisory means for monitoring activities on the system (Col. 3, lines 31 - 34; Col 8, lines 48 - 49). Although Cukor does not disclose the details of the supervisory means, the Examiner asserts that monitoring the work of another, any backlog of

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processing, and assigning access privileges are all well known supervisory means and would have been obvious to the skilled artisan to implement to ensure timely and secure processing of financial data (see Col 3, lines 31 -32 and 35 - 36).

Cukor teaches accessing and displaying the data in a particular data folder (Col 14, lines 11 - 18., Col 7, lines 21 - 25).

Cukor teaches assigning a transaction data folder to a particular user by name, PRO number, and/or bill of lading (Col 6, lines 49 - 60., Col . 10, lines 22 - 40).

Cukor discloses a work queue containing documents of a particular user to process (Col 7, lines 21 - 25).

Cukor teaches means for exchanging database data through the network (Col 7, lines 16 - 25).

Cukor teaches assignment of a unique internal identifier for the identification of each file folder and further to identify each document image in the folder (Col 14, lines 8- 26; Col 15, lines 2 - 8).

Cukor teaches a user having access to locally and regionally stored documents (Fig 1', Col 29, lines 53 - 57., Col 7, lines 16 - 25). Cukor further discloses local access to the transaction file when the regional center is unavailable (Col. 11, lines 1 - 8), regardless of why the regional center fails to respond.

As per the features of:

“means for restricting users to only retrieve images form the local storage means” of claim 44;



“restricting user workstations to only retrieve images from local storage devices” of claim 45; and

“wherein a system administrator may restrict the user to access only images from local storage devices” of claim 46.

The Examiner notes that functions of assigning and monitoring access privileges of a user or restricting users to only retrieve certain types of information from a particular storage device or on a network are well known in the art. Applicant is directed to column 4, line 7 to column 5, line 25 of Baker et al. and column 4, lines 39-65 of Jacobs et al.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of either Baker et al or Jacobs et al in the combination of Cukor and Reding in order to provide a security feature in the combination therein.

*Applicant has amended:*

*the independent claim 44 to recite:*

*“means for storing images in a plurality of formats, wherein a first transaction data folder stores a first format of an image and a second transaction data folder stores a second format of the image”*

*independent claim 45 to recite: “wherein the image is stored in at least one format in the transaction data folder”. As per this limitation, the combination above teaches storing the images. Images in a computerized system are usually stored in a given format. Storing such in a transaction folder would have been obvious to one of ordinary skill in the art in the combination above in order to relate images with a type of transaction.*

*Independent claim 46 to recite: "transmitting the at least one image in a second format to a second regional processing center".*

*Furthermore, as per the above newly added features of claims 44-46, Burks et al teach a medical transaction system wherein medical transaction data are formatted and stored in a plurality of formats for transmitting to different types of entities. Each entity may be located in a separate geographic location. Applicant is directed to the abstract and column 3, lines 1 to column 4, line 36 and column 5, line 42 to column 6, line 23 of Burks et al. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Burks et al into the above noted features above in order to allow different entities to receive specific transaction with their desired formats as indicated by Burks et al. on columns 5 and 6.*

As per claim 39, Cukor discloses communications between regional processing centers for distributed image processing, including the retrieval of images from transaction folders at one site from another site (Col 5, lines 43 - 59., Col 21, lines 42 - 45., Col 25, lines 40 - 44).

As per claims 40-41, Cukor's system provides for data input at local workstations (column 10, lines 23-40).

2. Claims 37 and 42 are rejected under 35 USC 1 03 as being unpatentable over Cukor, Reding and Baker et al or Jacobs et al. and Burks et al., as applied to Claim 46 above, and further in view of Wang et al. (U.S. Patent No. 5,490,217).

As per Claims 37 and 42 and as discussed above regarding Claim 46, Cukor discloses a computer-based trade records information management system for scanning, storing, searching, retrieving, and displaying data pertaining to commercial transactions across a network of local and regional stations. Although Cukor discloses the creation of transaction folders related to financial transactions. The combination of Cukor, Reding and Baker et al or Jacobs et al. and Burks et al does not expressly teach adding images to an existing folder nor transferring images between folders. Wang is an automatic document handling system in which documents are scanned into storage for archiving and subsequent retrieval (Wang at abstract; Col 2, lines 40 - 46). Wang teaches that images can be added to existing folders (Col 5, line 49 - 52) and may be moved from one folder to another (col. 6. lines 27 - 31 ). Introducing the teaching of Wang et al into the combination of Cukor, Reding and Baker et al or Jacobs et al. and Burks et al would have been obvious to one of ordinary skill in the art at the time of the invention in order to move files from one location or computer system to another location or computer system thus providing instant and constant updates of data files or newly scanned documents.

3. Claim 38 is rejected under 35 USC 103 as being unpatentable over Cukor and Reding, and Baker or Jacobs and Burks et al., as applied to Claim 46 above, and further in view of Joe Dysart, &GA Shortcut in the Paper Chase", Distributing, v 93, n 1, pages 42 - 44, January 1994 (hereinafter "Dysart").

As per claim 38 and as discussed above regarding Claim 46 by Cukor, Reding, Baker or Jacobs and Burks et al, Cukor further discloses a computer-based trade records information management system for scanning, storing, searching, retrieving, and displaying data pertaining to commercial transactions across a network of local and regional stations. Although Cukor

discloses local storage into transaction folders during the day (Col 6, lines 43 - 48), Cukor does not expressly teach that images are uploaded to the regional centers at night. Dysart teaches the graphical images of financial documents across a network in which the scanned images are transferred electronically to regional processing centers at night. Dysart at page 2, lines 3-7).

The motivation to combine Dysart with the teachings of Cukor and Reding, Baker or Jacobs and Burks et al would be to take advantage of the well-known lower rates and lower traffic associated with nightly electronic transmissions of data.

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (571) 272-

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6797. The examiner can normally be reached on Monday-Thursday from 7:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sam Sough can be reached on (571) 272-6799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**Frantzy Poinvil**  
**Primary Examiner**  
**Art Unit 3628**

FP  
March 08, 2006